UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/47/612
8 December 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 74

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Report of the Special Political Committee

Rapporteur: Mr. Yuriy SHEVCHENKO (Ukraine)

I. INTRODUCTION

1. The item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" was included in the provisional agenda of the forty-seventh session of the General Assembly in accordance with Assembly resolution 46/47 A of 9 December 1991.

2. At its 3rd plenary meeting, on 18 September 1991, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Special Political Committee.

3. The Special Political Committee considered the item at its 24th to 27th meetings from 23 to 25 November 1992 (see A/SPC/47/SR.24-27).

4. The Committee had before it the following reports:

(a) Note by the Secretary-General transmitting the twenty-fourth report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/47/509);

(b) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 23 August to 30 November 1991 (A/47/76);

(c) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 1 December 1991 to 29 February 1992 (A/47/262);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 46/47 A (A/47/545);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 46/47 B (A/47/546);

(f) Report of the Secretary-General submitted in pursuance of General Assembly resolution 46/47 C (A/47/547);

(g) Report of the Secretary-General submitted in pursuance of General Assembly resolution 46/47 D (A/47/548);

(h) Report of the Secretary-General submitted in pursuance of General Assembly resolution 46/47 E (A/47/549);

(i) Report of the Secretary-General submitted in pursuance of General Assembly resolution 46/47 F (A/47/550);

(j) Report of the Secretary-General submitted in pursuance of General Assembly resolution 46/47 G (A/47/551).

5. Also before the Committee were the following documents:

(a) Letter dated 6 February 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the Secretary-General, transmitting the texts of the documents adopted by the Sixth Islamic Summit Conference, held at Dakar from 9 to 11 December 1991 (A/47/88-S/23563);

(b) Letter dated 16 March 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/47/123-S/23721);

(c) Letter dated 20 March 1992 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General (A/47/129-S/23740);

(d) Letter dated 1 April 1992 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General (A/47/139-S/23770);

(e) Letter dated 24 April 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/47/174-S/23841);

(f) Letter dated 26 May 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/47/230-S/24012);

(g) Letter dated 2 June 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/47/238-S/24054);

(h) Letter dated 3 June 1992 from the Chargé d'affairs a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General (A/47/255 and Corr.1);

(i) Letter dated 15 July 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/47/330-S/24290);

(j) Letter dated 27 July 1992 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General (A/47/348-S/24351);

(k) Letter dated 6 October 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/47/507-S/24630);

(l) Letter dated 12 October 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/47/526-S/24659);

(m) Letter dated 26 October 1992 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, transmitting the texts of resolutions adopted at the Fifth Extraordinary Session of the Islamic Conference of Foreign Ministers, held at Istanbul on 17 and 18 June 1992 (A/47/592-S/24718).

6. At the 24th meeting, on 23 November, the representative of Sri Lanka, Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the Committee's report (A/47/509).

II. CONSIDERATION OF PROPOSALS

7. In the course of its deliberations, the Special Political Committee considered seven draft resolutions, as set forth below.

8. At the 27th meeting, on 25 November, before the vote, the representatives of the United States of America and the Russian Federation made statements in explanation of the vote (see A/SPC/47/SR.27).

A. Draft resolution A/SPC/47/L.25

9. At the 27th meeting, on 25 November, the representative of Bangladesh introduced a draft resolution (A/SPC/47/L.25), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Indonesia, Madagascar, Malaysia, Pakistan and Zambia.

10. At the same meeting, the Committee adopted draft resolution A/SPC/47/L.25 by a recorded vote of 74 to 6, with 43 abstentions (see para. 24, draft resolution A). The voting was as follows:

In favour: Afghanistan, Algeria, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Chile, China, Colombia, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Gabon, Ghana, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia (Federated States of), Romania, United States of America, Uruguay.

Abstentions: Argentina, Australia, Austria, Belarus, Belgium, Bolivia, Bulgaria, Cameroon, Canada, Costa Rica, Côte d'Ivoire, Czechoslovakia, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Liechtenstein, Luxembourg, Mongolia, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Poland, Portugal, Republic of Moldova, Russian Federation, Saint Vincent and the Grenadines, Samoa, Spain, Suriname, Sweden, United Kingdom of Great Britain and Northern Ireland.

B. Draft resolution A/SPC/47/L.26

11. At the 27th meeting, on 25 November, the representative of Cuba introduced a draft resolution (A/SPC/47/L.26), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Indonesia, Madagascar, Malaysia, Pakistan and Zambia.

12. At the same meeting, the Committee voted on draft resolution A/SPC/47/L.26 as follows:

(a) Operative paragraph 1 was adopted by a recorded vote of 123 to 1. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

(b) The draft resolution as a whole was adopted by a recorded vote of 118 to 1, with 5 abstentions (see para. 24, draft resolution B). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent

and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstentions: Côte d'Ivoire, Micronesia (Federated States of), Paraguay, Russian Federation, United States of America.

C. Draft resolution A/SPC/47/L.27

13. At the 27th meeting, on 25 November, the representative of Cuba introduced a draft resolution (A/SPC/47/L.27), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Indonesia, Madagascar, Malaysia, Pakistan and Zambia, subsequently joined by India.

14. At the same meeting, the Committee adopted draft resolution A/SPC/47/L.27 by a recorded vote of 119 to 1, with 3 abstentions (see para. 24, draft resolution C). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstentions: Micronesia (Federated States of), Russian Federation, United States of America.

D. Draft resolution A/SPC/47/L.28

15. At the 27th meeting, on 25 November, the representative of Cuba introduced a draft resolution (A/SPC/47/L.28), initially sponsored by Afghanistan, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Indonesia, Madagascar, Malaysia, Pakistan and Zambia, subsequently joined by India.

16. At the same meeting, the Committee adopted draft resolution A/SPC/47/L.28 by a recorded vote of 118 to 2, with 3 abstentions (see para. 24, draft resolution D). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstentions: Micronesia (Federated States of), Paraguay, 1/ Russian Federation.

1/ The representative of Paraguay subsequently indicated that his delegation had not intended to participate in the vote on draft resolutions A/SPC/47/L.28 through L.31.

E. Draft resolution A/SPC/47/L.29

17. At the 27th meeting, on 25 November, the representative of Bangladesh introduced a draft resolution (A/SPC/47/L.29), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Indonesia, Madagascar, Malaysia, Pakistan and Zambia, subsequently joined by India.

18. At the same meeting, the Committee adopted draft resolution A/SPC/47/L.29 by a recorded vote of 118 to 1, with 4 abstentions (see para. 24, draft resolution E). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstentions: Micronesia (Federated States of), Paraguay, 1/ Russian Federation, United States of America.

F. Draft resolution A/SPC/47/L.30

19. At the 27th meeting, on 25 November, the representative of Bangladesh introduced a draft resolution (A/SPC/47/L.30), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Indonesia, Madagascar, Malaysia and Pakistan.

20. At the same meeting, the Committee adopted draft resolution A/SPC/47/L.30 by a recorded vote of 116 to 1, with 5 abstentions (see para. 24, draft resolution F). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstentions: Côte d'Ivoire, Micronesia (Federated States of), Paraguay, 1/ Russian Federation, United States of America.

G. Draft resolution A/SPC/47/L.31

21. At the 27th meeting, on 25 November, the representative of Bangladesh introduced a draft resolution (A/SPC/47/L.31), sponsored by Afghanistan, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Indonesia, Madagascar, Malaysia, Pakistan and Zambia.

22. At the same meeting, the Committee adopted draft resolution A/SPC/47/L.31 by a recorded vote of 116 to 2, with 5 abstentions (see para. 24, draft resolution G). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstentions: Canada, Côte d'Ivoire, Micronesia (Federated States of), Paraguay, 1/ Russian Federation.

23. Following the vote on all the draft resolutions, statements in explanation of the vote were made by the representatives of Austria, the United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Community), Australia, Canada, the Islamic Republic of Iran, Turkey, Sweden, Norway and Uruguay.

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL COMMITTEE

24. The Special Political Committee recommends to the General Assembly the adoption of the following draft resolutions:

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

A

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights, 2/

Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned about the alarming situation in the Palestinian territory occupied since 1967, including Jerusalem, as well as in the other occupied Arab territories, as a result of their continued occupation by Israel, the occupying Power, and of its persistent policies against the Palestinian people,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ as well as of other relevant conventions and regulations,

Taking into account the need to consider measures for the impartial protection of the Palestinian people under Israeli occupation,

Recalling the relevant resolutions of the Security Council,

Recalling specifically Security Council resolution 681 (1990) of 20 December 1990, in paragraph 6 of which the Council requested "the Secretary-General, in cooperation with the International Committee of the Red Cross, to develop further the idea, expressed in his report, of convening a meeting of the High Contracting Parties to the said Convention to discuss possible measures that might be taken by them under the Convention and, for this purpose, to invite the Parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other relevant matters, and to report thereon to the Council",

Recalling also all its resolutions on the subject, the last of which was resolution 46/47 A of 9 December 1991,

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2/ Resolution 217 A (III).

3/ United Nations, Treaty Series, vol. 75, No. 973.

Recalling further the relevant resolutions adopted by the Commission on Human Rights, including its resolutions 1992/1, 1992/2 A and B, 1992/3 and 1992/4 of 14 February 1992 and 1992/70 of 4 March 1992, 4/

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, 5/ which contain, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Having also considered the reports of the Secretary-General of 21 January 1988, 6/ 31 October 1990, 7/ 9 April 1991 8/ and 23 October 1992, 9/

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and demands that Israel allow the Special Committee access to those territories;

3. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Condemns the continued and persistent violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ and other applicable international instruments, and condemns in particular those violations which the Convention designates as "grave breaches" thereof;

4/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

5/ A/47/76, A/47/262 and A/47/509.

6/ S/19443; see Official Records of the Security Council, Forty-third Year, Supplement for January, February and March 1988, document S/19443.

7/ S/21919 and Corr.1; see Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990, document S/21919.

8/ S/22472; see Official Records of the Security Council, Forty-sixth Year, Supplement for April, May and June 1991, document S/22472.

9/ A/47/545.

5. Reaffirms, in accordance with the Convention, that the Israeli military occupation of the Palestinian territory, including Jerusalem, and other Arab territories is of a temporary nature, thus giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories;

6. Condemns, in particular, the Israeli policies and practices of collective punishment, destruction and demolition of houses, use of undercover units as death squads and ill-treatment and torture of prisoners;

7. Strongly condemns the imposition of Israeli laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory;

8. Condemns the Israeli repression against and closing of the educational institutions in the occupied Syrian Golan, particularly prohibiting Syrian textbooks and the Syrian educational system, preventing Syrian students from pursuing their higher education in Syrian universities, denying the right of return to Syrian students receiving their higher education in the Syrian Arab Republic, forcing Hebrew on Syrian students, imposing courses that promote hatred, prejudice and religious intolerance and dismissing teachers, all in clear violation of the Convention; 3/

9. Strongly condemns the arming of Israeli settlers in the occupied territories to perpetrate and commit acts of violence against Palestinians and other Arabs, causing deaths and injuries;

10. Urges the Security Council to consider the current situation in the Palestinian territory occupied by Israel since 1967, taking into account the recommendations contained in the reports of the Secretary-General, with a view to securing international protection for the defenceless Palestinian people until the withdrawal of Israel, the occupying Power, from the occupied Palestinian territory;

11. Reaffirms that Israel's policy of settling parts of its population and new immigrants in the occupied territories constitutes a flagrant violation of the Convention and of the relevant resolutions of the United Nations;

12. Calls upon Israel, the occupying Power, to allow the reopening of the Roman Catholic Medical Facility Hospice at Jerusalem in order to continue to provide needed health and medical services to the Palestinians in the city;

13. Also calls upon Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967, in implementation of Security Council resolution 237 (1967) of 14 June 1967;

14. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to examine the educational and health conditions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

15. Reiterates its call upon all States, in particular those States parties to the Convention, in accordance with article 1 thereof, and upon international organizations, including the specialized agencies, not to recognize any changes carried out by Israel, the occupying Power, in the occupied territories and to avoid actions, including those in the field of aid, that might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

16. Requests the Special Committee, pending early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

17. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the present situation in the occupied Palestinian territory;

18. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

19. Condemns Israel's refusal to permit persons from the occupied Palestinian territory to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied Palestinian territory;

20. Demands that Israel, the occupying Power, return immediately all documents and papers that were taken away from the Sharia Islamic Court in occupied Jerusalem, to the officials of the said Court;

21. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly and periodically the reports mentioned in paragraph 17 above to Member States;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its forty-eighth session on the tasks entrusted to him in the present resolution;

22. Decides to include in the provisional agenda of its forty-eighth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

B

The General Assembly,

Recalling Security Council resolution 465 (1980) of 1 March 1980, in which, inter alia, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also Security Council resolutions 672 (1990) of 12 October 1990, 673 (1990) of 24 October 1990 and 681 (1990) of 20 December 1990,

Recalling further its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983, 39/95 B of 14 December 1984, 40/161 B of 16 December 1985, 41/63 B of 3 December 1986, 42/160 B of 8 December 1987, 43/58 B of 6 December 1988, 44/48 B of 8 December 1989, 45/74 B of 11 December 1990 and 46/47 B of 9 December 1991,

Recalling the reports of the Secretary-General of 21 January 1988 6/ and 31 October 1990, 7/ and taking note of the reports of the Secretary-General of 9 April 1991 8/ and 23 October 1992, 10/

10/ A/47/546.

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Bearing in mind the provisions of the Convention, 3/

Noting that Israel and the concerned Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

Taking into account that States parties to the Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Condemns once again the failure of Israel, the occupying Power, to acknowledge the applicability of the Convention to the territories it has occupied since 1967, including Jerusalem;

3. Strongly demands that Israel accept the de jure applicability of the Convention and comply with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Urgently calls upon all States parties to the Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

C

The General Assembly,

Recalling Security Council resolutions 465 (1980) of 1 March 1980, 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990, 673 (1990) of 24 October 1990, 681 (1990) of 20 December 1990 and 726 (1992) of 6 January 1992,

Recalling also its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981, 37/88 B of 10 December 1982, 38/79 C of 15 December 1983, 39/95 C of 14 December 1984, 40/161 C of 16 December 1985, 41/63 C of 3 December 1986, 42/160 C of 8 December 1987, 43/58 C of

6 December 1988, 44/48 C of 8 December 1989, 45/74 C of 11 December 1990 and 46/47 C of 9 December 1991,

Expressing grave anxiety and concern about the serious situation prevailing in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, as a result of the continued Israeli occupation and the measures and actions taken by Israel, the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

Recalling the reports of the Secretary-General of 21 January 1988 6/ and 31 October 1990, 7/ and taking note of the reports of the Secretary-General of 9 April 1991 8/ and 23 October 1992, 11/

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ is applicable to all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. Determines that all such measures and actions taken by Israel in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967 are in violation of the relevant provisions of the Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, constitute a serious obstacle to the efforts to achieve a comprehensive, just and lasting peace in the Middle East and therefore have no legal validity;

2. Strongly deplores the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

3. Demands that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the said Convention; 3/

4. Demands once more that Israel, the occupying Power, desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. Urgently calls upon all States parties to the Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

11/ A/47/547.

6. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

D

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

Recalling also its resolutions 38/79 A of 15 December 1983, 39/95 A of 14 December 1984, 40/161 A of 16 December 1985, 41/63 A of 3 December 1986, 42/160 A of 8 December 1987, 43/21 of 3 November 1988, 43/58 D of 6 December 1988, 44/2 of 6 October 1989, 44/48 D of 8 December 1989, 45/74 D of 11 December 1990 and 46/47 D of 9 December 1991,

Taking note of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, 5/

Recalling the reports of the Secretary-General of 21 January 1988 6/ and 31 October 1990, 7/ and taking note of the report of the Secretary-General of 23 October 1992, 12/

1. Deplores the arbitrary detention or imprisonment by Israel of thousands of Palestinians as a result of their resistance to occupation in order to attain self-determination;

2. Calls upon Israel, the occupying Power, to release all Palestinians and other Arabs arbitrarily detained or imprisoned;

3. Requests the Secretary-General to report to the General Assembly as soon as possible, but not later than the beginning of its forty-eighth session, on the implementation of the present resolution.

E

The General Assembly,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990, 673 (1990) of 24 October 1990, 681 (1990) of 20 December 1990, 694 (1991) of 24 May 1991 and 726 (1992) of 6 January 1992,

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12/ A/47/548.

Recalling also the reports of the Secretary-General of 21 January 1988 6/ and 31 October 1990, 7/ and taking note of the reports of the Secretary-General of 9 April 1991 8/ and 23 October 1992, 13/

Recalling further the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ in particular article 1 and the first paragraph of article 49, which read as follows:

"Article 1

"The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."

"Article 49

"Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive ...",

Reaffirming the applicability of the Convention to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant resolutions and decisions of the Security Council and resolutions of the General Assembly;

2. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by its authorities in deporting Palestinians and that it facilitate their immediate return;

3. Calls upon Israel, the occupying Power, to cease forthwith the deportation of Palestinians and to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

4. Requests the Secretary-General to report to the General Assembly as soon as possible, but not later than the beginning of its forty-eighth session on the implementation of the present resolution.

13/ A/47/549.

F

The General Assembly,

Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986; 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989, 44/48 F of 8 December 1989, 45/74 F of 11 December 1990 and 46/47 F of 9 December 1991,

Having considered the report of the Secretary-General of 23 October 1992, 14/

Recalling its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied by Israel must be returned,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/

Reaffirming the applicability of that Convention to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction

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14/ A/47/550.

and administration on the occupied Syrian Arab Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decisions;

2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Strongly condemns Israel for its attempts forcibly to impose Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and calls upon it to desist from its repressive measures against the population of the occupied Syrian Golan;

5. Deplores the violations by Israel of the Convention;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

G

The General Assembly,

Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/

Deeply concerned about the continued and intensified harassment by Israel, the occupying Power, directed against educational institutions in the occupied Palestinian territory,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990, 673 (1990) of 24 October 1990 and 681 (1990) of 20 December 1990,

Recalling also its resolutions 38/79 G of 15 December 1983, 39/95 G of 14 December 1984, 40/161 G of 16 December 1985, 41/63 G of 3 December 1986, 42/160 G of 8 December 1987, 43/21 of 3 November 1988, 43/58 G of 6 December 1988, 44/2 of 6 October 1989, 44/48 G of 8 December 1989, 45/74 G of 11 December 1990 and 46/47 G of 9 December 1991,

Recalling further the reports of the Secretary-General of 21 January 1988 6/ and 31 October 1990, 7/ and taking note of the reports of the Secretary-General of 9 April 1991, 8/ and 23 October 1992, 15/

Taking note of the relevant decisions adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization concerning the educational and cultural situation in the occupied Palestinian territory,

1. Reaffirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Condemns Israeli policies and practices against Palestinian students and faculty members in schools, universities and other educational institutions in the occupied Palestinian territory, especially the opening of fire on defenceless students, causing many casualties;

3. Also condemns the systematic Israeli campaign of repression against and closing of universities, schools and other educational and vocational institutions in the occupied Palestinian territory, in large numbers and for prolonged periods, restricting and impeding the academic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in flagrant contravention of the Convention;

4. Demands that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures taken against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities, schools and other educational institutions;

5. Requests the Secretary-General to report to the General Assembly as soon as possible, but not later than the beginning of its forty-eighth session, on the implementation of the present resolution.

15/ A/47/551.